

follows:

Article 43 - Health

601.

(A) THE SECRETARY OF HEALTH AND MENTAL HYGIENE SHALL BY RULE AND REGULATION SET CHARGES FOR SERVICES RENDERED BY THE DEPARTMENT IN STATE OPERATED CLINICS, OUTPATIENT SERVICES, DAY CARE, DAY TREATMENT AND DAY HOSPITAL SERVICES, GROUP HOMES AND SMALL RESIDENTIAL HOMES, INPATIENT CARE IN REGIONAL AND STATE HOSPITALS AND CENTERS AND OTHER INPATIENT AND OUTPATIENT SERVICES, FOR THE PHYSICALLY AND MENTALLY ILL, AGED, MENTALLY RETARDED, AND DEVELOPMENTALLY DISABLED. HE SHALL REQUIRE POLITICAL SUBDIVISIONS AND GRANTEEES TO SET CHARGES, SUBJECT TO HIS APPROVAL AND MODIFICATIONS, FOR SERVICES PROVIDED BY THEM WHICH ARE FUNDED IN WHOLE OR IN PART WITH STATE AND FEDERAL FUNDS ADMINISTERED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE. CHARGES FOR SERVICES MUST BE SET AT LEAST ANNUALLY AND ARE SUBJECT TO THE APPROVAL OF THE SECRETARY OF THE DEPARTMENT OF BUDGET AND FISCAL PLANNING. IF THE SECRETARY OF HEALTH AND MENTAL HYGIENE DEEMS IT TO BE IN THE BEST INTEREST OF THE PUBLIC HEALTH, HE MAY DESIGNATE SPECIFIC SERVICES FOR WHICH NO CHARGE SHALL BE SET.

(B) (1) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL INVESTIGATE THE FINANCIAL CONDITION OF ALL PATIENTS, THEIR RESPONSIBLE RELATIVES, AND OTHER PERSONS LEGALLY CHARGEABLE FOR ANY OBLIGATION OF THE PATIENT IN ORDER TO DETERMINE THE ABILITY OF THE PATIENT OR HIS RESPONSIBLE RELATIVES TO PAY FOR THE COST OF CARE OF THE PATIENT. "RESPONSIBLE RELATIVE" MEANS, FOR THE PURPOSE OF REIMBURSEMENT FOR COST OF CARE AND TREATMENT, THE SPOUSE OF A PATIENT, PARENT OR PARENTS OF A CHILD OR CHILDREN UNDER THE AGE OF 18, OR A CHILD OR CHILDREN OF PATIENTS RECEIVING CARE AND TREATMENT IN FACILITIES OR PROGRAMS OPERATED OR FUNDED IN WHOLE OR IN PART BY THE DEPARTMENT. NO LIABILITY SHALL BE IMPOSED BY THIS DEFINITION ON THE SPOUSE OR CHILD OF ANY PATIENT WHO HAS BEEN ABANDONED BY THE PATIENT. THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL PROMULGATE RULES AND REGULATIONS PURSUANT TO THE ADMINISTRATIVE PROCEDURE ACT, PROVIDING FOR A DETERMINATION OF WHAT SHALL CONSTITUTE ABANDONMENT.

(2) IN MAKING THESE INVESTIGATIONS, THE DEPARTMENT MAY REQUIRE REPORTS TO BE MADE TO IT BY THE PATIENT OR OTHER PERSONS, WHETHER OR NOT RELATED TO THE PATIENT, UPON FORMS PREPARED BY THE DEPARTMENT; PUBLIC ASSISTANCE PAYMENTS SHALL BE TAKEN INTO CONSIDERATION AS FINANCIAL RESOURCES.

(3) UPON THE REFUSAL OR FAILURE OF ANY